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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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in re Application of:

Gary Betts) Group No.: 2874
Serial No.: 10/086,171) Examiner: Scott A. Knauss
Filed: February 28, 2002) Docket No. MODE1140-1
For: DIELECTRIC BACKFILL FOR OPTICAL MODULATORS USING RIDGED
SUBSTRATES

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date JULY 24, 2003, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

7/24/03MJM

Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT

I hereby apply to withdraw as attorney or agent for the above-identified application.

The reasons for this request are:

To the best of my knowledge, the applicant, ModeTek, Inc. (by assignment) has ceased operations without notice to me and without providing instructions regarding the disposition of its patent files. The applicant did not respond to my last written request for instructions (dated June 30, 2003) regarding disposition of the application file.

This request is being made on behalf of myself, by the attorneys associated with customer number 25548, and any other attorney named in the Combined Declaration and Power of Attorney submitted in this application (if applicable).

Please change the correspondence address and direct all future correspondence to the following, which is the last known address of the applicant:

**Siamak Forouhar, Ph.D.
Mod T k Inc.
2075 Las Palmas Driv
Carlsbad, CA 92009**

This request is enclosed in triplicate.

Respectfully submitted,



Date: JULY 24, 2003

**MARK M. TAKAHASHI
Reg. No. 38,631**

**GRAY CARY WARE & FREIDENRICH
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133**

Telephone: (858) 638-6748 Fax: (858) 638-6727